

### **REMARKS/ARGUMENTS**

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

Independent article claim 20 has been extensively amended so as to set forth with specificity the structure of the disk brake of the present invention as shown in Figures 1 and 2 and disclosed in the specification of the instant application. Independent claim 20 now sets forth a plurality of studs of different length wherein at least one of the plurality of studs is enclosed in the friction lining and at least another of the plurality of studs passes through the friction lining up to a lining surface of the friction lining. Independent method claim 31 has been amended in a similar fashion. It is respectfully submitted that claims 20 and 31, as amended, patentably define over the Whitworth reference taken alone or in combination with the Verbeeten et al. reference.

The Whitworth reference uses studs 40 to secure the friction lining to the lining support. In the case at hand, the friction liner is either bonded directly to the lining support or to an intermediate underlay. The friction lining encompasses at least some of the studs. This is not the case in the Whitworth reference. The Verbeeten et al. reference fails to overcome the deficiencies noted above with regard to the primary reference. In the Verbeeten reference, the countersunk screws 6 hold a noise-dampening plate. The Verbeeten et al. reference does not suggest a plurality of studs as now claimed. Accordingly, it is submitted that the claims as currently pending patentably define over the art of record and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and

place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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Date: August 21, 2007